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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/761,666

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John Robert Lambert

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04/15/2009

WORKMAN NYDEGGER/MICROSOFT

1000 EAGLE GATE TOWER

60 EAST SOUTH TEMPLE

SALT LAKE CITY, UT 84111

EXAMINER

BELOUSOV, ANDREY

ART UNIT

PAPER NUMBER

2174

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/761,666	<b>Applicant(s)</b> LAMBERT ET AL.	
	<b>Examiner</b> ANDREY BELOUSOV	<b>Art Unit</b> 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5, 10, 11 and 14-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 10, 11 and 14-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

This action is responsive to the amendment filed on 12/16/2008. Claims 1-5, 10-11, 14-23 are pending and have been considered below.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-3, 5, 10-11, 14-22 rejected under 35 U.S.C. 102(b) as being anticipated by Parker (5,600,789.)

**Claims 1, 21:** Parker et al. discloses in a computerized system environment including computer-executable instructions, and a plurality of interfaces for accessing the computer-executable instructions, a method of testing the computer-executable instructions through each of the plurality of interfaces using a single testing program, the method comprising the acts of:

- a. identifying a plurality of interfaces (“GUI-specific instantiations,” 5:43-45; Fig. 1: “1-2-3 for OPENLOOK”, “1-2-3 for Motif”, etc.) that are intended to access an identified application program (Fig. 4: 300);
- b. identifying an application program interface (super class embodied in the test script; 5:63-66) that is common to each of the plurality of interfaces that can

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access the application program, such that a function of the application program that can be accessed by each of the plurality of interfaces can be tested

(Abstract);

- c. through a test program (Fig. 4: test tool: test executive + test driver), providing at least one representation of a first value ("T commands embodied in the test script", e.g. "MENU\_Pick("File/Open")" and "TF\_SetText("\$Filename", "A"), Table 2) to the application program through the common application program interface (8:26-27);
- d. receiving a result from the application program (11:57-12:31);
- e. based on the value of the result from the application program, determining that each of the plurality of interfaces is interoperable with the application program (i.e. validation: 3:63-67; 11:57-12:31)
- f. identifying one or more other application program interfaces that are common to the identified user interfaces (Fig. 15: 814); and
- g. converting the test program (the test driver portion of the test tool, e.g. test driver 3, Fig. 15: 812), by recompiling ("the test tool has test drivers for all of the popular GUI's, a given test script can drive not only multiple targets simultaneously, but multiple heterogeneous targets", 34:4-6; "the test executive relies on its own portable multi-threading package", 34:16; Fig. 15) source code of the test program to function with at least one of the one or more other application program interfaces, such that the test program is configured to

access the identified application program through at least one of the one or more other application program interfaces (34:4-18, Fig. 15.)

**Claim 2:** Parker et al. discloses the method as recited in claim 1, wherein the at least one representation of the first value is unique to at least one of the plurality of interfaces (8:26-53.)

**Claim 3:** Parker et al. discloses the method as recited in claim 2, wherein the at least one representation of the first value is identified automatically prior to providing the at least one representation to the application program (3:63; 8:26-53.)

**Claim 5:** Parker et al. discloses the method as recited in claim 1, wherein the identified application program is an application program to be tested (Fig. 3; 6:56-7:12.)

**Claim 10:** Parker et al. discloses the method as recited in claim 1, further comprising receiving one or more results from the application program through the corresponding one or more interfaces that are intended to access the application program (11:57-12:31.)

**Claim 11:** Parker et al. discloses the method as recited in claim 10, further comprising, based on the received one or more results, identifying an expected result by which the received one or more results can be compared (11:57-12:31.)

**Claim 14, 22:** Parker discloses, in a computerized system environment including computer-executable instructions, and plurality of interfaces for accessing the computer-executable instructions, a method of testing an application program through each of the plurality of interfaces using a single testing program, the method comprising:

- a. identifying a plurality of interfaces (Fig. 15: 808, 810, 814, GUI 1, GUI 2, GUI 3) that are intended to access an application program ("logical" application program. 5:43-45);
- b. sending a first value ("T commands embodied in the test script", e.g. "MENU\_Pick("File/Open)") and "TF\_SetText("\$Filename", "A"), Table 2) to the application program for each of the plurality of identified interfaces (33:54-56), wherein the first value is sent using an application program interface (super class embodied in the test script; 5:63-66) that is common to each of the plurality of identified interfaces (Abstract);
- c. receiving a plurality of results from the application program, wherein each result in the plurality corresponds to an identified one of the plurality of interfaces (34:7-17);
- d. comparing the plurality of results with each other to identify an expected result (11:57-12:31.)

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**Claim 15:** Parker discloses the method as recited in claim 14, further comprising sending a next value to the application program for each of the plurality of identified interfaces (11:57-12:31.)

**Claim 16:** Parker discloses the method as recited in claim 15, further comprising receiving a next result from the application program that is based in part on the next value that has been sent to the application (11:57-12:31; 33:67-4.)

**Claim 17:** Parker discloses the method as recited in claim 16, further identifying that the application is interoperable with at least one of the identified interfaces by comparing the next result with the expected result (11:57-12:31; 33:67-4.)

**Claim 18:** Parker discloses the method as recited in claim 14, further comprising generating a test program that is configured to access the application program through the identified common application program interface (Fig. 4: test tool: test executive + test driver.)

**Claim 19:** Parker discloses the method as recited in claim 18, further comprising identifying one or more other application program interfaces that are common to the identified user interfaces (Fig. 15: 814.)

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**Claim 20:** Parker discloses the method as recited in claim 19, further comprising converting the test program such that it is configured to access the identified application program through at least one of the one or more other application program interfaces (“the test tool has test drivers for all of the popular GUI's, a given test script can drive not only multiple targets simultaneously, but multiple heterogeneous targets”, 34:4-6; “the test executive relies on its own portable multi-threading package”, 34:16; Fig. 15.)

2. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parker in view of Cordero.

**Claim 4:** Parker et al. discloses the method as recited in claim 1. However, Parker does not explicitly disclose wherein the plurality of interfaces includes at least one telephone user interface. Cordero discloses a similar method for multi-platform testing, wherein the plurality of interfaces includes at least one telephone user interface (par. 009, cellular devices.) Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a telephone user interface. One would have been motivated to combine the teaching of Parker with Cordero so as to enable application testing on varied platform that suitable to run the application (par. 009.)

3. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parker in view of Bailey (6,981,180.)



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**Claim 23:** Parker et al. discloses the method of claim 1. However, Parker does not explicitly disclose, wherein providing at least one representation of a first value to the application program through the common application program interface comprises:

- a. automatically identifying a plurality of isomorphisms of a value that are specific to one of the interfaces from among the identified plurality of interfaces; and
- b. testing the identified isomorphisms of the value such that different forms of one or more values may be tested.

Bailey discloses a method for testing, wherein providing at least one representation of a first value to the application program through the common application program interface comprises:

- a. automatically identifying a plurality of isomorphisms of a value that are specific to one of the interfaces from among the identified plurality of interfaces; and
- b. testing the identified isomorphisms of the value such that different forms of one or more values may be tested (3:58-4:3.)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize isomorphisms in system testing as disclosed by

Bailey, in the teachings of Parker. One would have been motivated to utilize isomorphisms in system testing so as to provide varying degrees of validation (3:58-4:3.)

***Response to Arguments***

Applicant's arguments with respect to claims 1 and 14 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Belousov whose telephone number is (571) 270-1695. The examiner can normally be reached on Mon-Fri (alternate Fri off) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Steven P Sax/  
Primary Examiner, Art Unit 2174

AB  
April 13, 2009

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